

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: ETHICON, INC. PELVIC REPAIR
SYSTEMS PRODUCTS LIABILITY
LITIGATION

Master File No. 2:12-MD-02327
MDL 2327

This document applies to:

ETHICON ELECTION WAVE (PTO 298)
CASES LISTED IN PLAINTIFFS' NOTICE
OF ADOPTION AT EXHIBIT A (Doc.
7297)

JOSEPH R. GOODWIN
U.S. DISTRICT JUDGE

**ETHICON DEFENDANTS' NOTICE OF ADOPTION OF WAVE 1 *DAUBERT*
RESPONSE REGARDING JOYE K. LOWMAN, M.D.
FOR ELECTION WAVE (PTO 298)**

Plaintiffs filed a Notice of Adoption as to the opinion testimony of Joye K. Lowman, M.D. in the Election Wave (PTO 298) cases identified in Exhibit A to their Notice. *See* Doc. 7297. In response, Defendants hereby adopt and incorporate by reference the *Daubert* response filed in relation to the general causation opinions of Joye K. Lowman, M.D. for Ethicon Wave 1 (Doc. 2161) as their response for the Election Wave.¹ Defendants respectfully request that the Court deny Plaintiffs' motion for the reasons expressed in the Wave 1 response briefing.

Respectfully submitted,

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¹ Plaintiffs refer in their Notice of Adoption to Doc. Nos. 2449 and 2452, which were titled "Plaintiffs' Motion to Exclude the General Opinion Testimony of Joye K. Lowman, M.D. As Well As Her Specific Opinions In The Case Of Pamela Bailey (Case No. 2:12-cv-1700). The filing of a motion to exclude case-specific opinions for a single plaintiff in the master docket (2:12-md-2327) is improper and does not require a response.

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Counsel for Defendants Ethicon, Inc.,
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CERTIFICATE OF SERVICE

I certify that on this day, I electronically filed this document with the clerk of the court using the CM/ECF system, which will send notification of this filing to CM/ECF participants registered to receive service in this MDL.

/s/ William M. Gage
William M. Gage